

Senate Study Bill 3062

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE
BOARD BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to campaign finance procedures and requirements
2 and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5459DP 82
5 jr/rj/14

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1 1 Section 1. Section 68A.101, Code 2007, is amended to read
1 2 as follows:
1 3 68A.101 CITATION AND ADMINISTRATION.
1 4 This chapter may be cited as the "Campaign Disclosure ==
1 5 Income Tax Checkoff Act".
1 6 This chapter shall be administered by the Iowa ethics and
1 7 campaign disclosure board as provided in sections 68B.32,
1 8 68B.32A, 68B.32B, 68B.32C, and 68B.32D.

1 9 Sec. 2. Section 68A.201, subsection 5, Code Supplement
1 10 2007, is amended by striking the subsection.

1 11 Sec. 3. NEW SECTION. 68A.201A FILING BY OUT-OF-STATE AND
1 12 FEDERAL COMMITTEES.

1 13 1. When either a committee or organization not organized
1 14 as a committee under section 68A.201 makes a contribution to a
1 15 committee organized in Iowa, that committee or organization
1 16 shall disclose each contribution in excess of fifty dollars to
1 17 the board.

1 18 2. A committee or organization not organized as a
1 19 committee under section 68A.201 that is not registered and
1 20 filing full disclosure reports of all financial activities
1 21 with the federal election commission or another state's
1 22 disclosure commission shall register and file full disclosure
1 23 reports with the board pursuant to this chapter. The
1 24 committee or organization shall either appoint an eligible
1 25 Iowa elector as committee or organization treasurer, or shall
1 26 maintain all committee funds in an account in a financial
1 27 institution located in Iowa.

1 28 3. A committee that is currently filing a disclosure
1 29 report in another jurisdiction shall either file a statement
1 30 of organization under section 68A.201, subsections 1 and 2,
1 31 and file disclosure reports under section 68A.402, or shall
1 32 file one copy of a verified statement with the board within
1 33 fifteen days of the contribution being made.

1 34 4. The verified statement shall be on forms prescribed by
1 35 the board and shall attest that the committee is filing
2 1 reports with the federal election commission or in a
2 2 jurisdiction with reporting requirements which are
2 3 substantially similar to those of this chapter, and that the
2 4 contribution is made from an account that does not accept
2 5 contributions that would be in violation of section 68A.503.

2 6 5. The verified statement shall include the complete name,
2 7 address, and telephone number of the contributing committee,
2 8 the state or federal jurisdiction under which it is registered
2 9 or operates, the identification of any parent entity or other
2 10 affiliates or sponsors, its purpose, the name and address of
2 11 an Iowa resident authorized to receive service of original
2 12 notice, the name and address of the receiving committee, the
2 13 amount of the cash or in-kind contribution, and the date the
2 14 contribution was made.

2 15 Sec. 4. Section 68A.303, subsection 6, Code 2007, is
2 16 amended to read as follows:

2 17 6. ~~An individual or a political committee~~ A person shall
2 18 not knowingly make transfers or contributions to a candidate

2 19 or candidate's committee for the purpose of transferring the
2 20 funds to another candidate or candidate's committee to avoid
2 21 the disclosure of the source of the funds pursuant to this
2 22 chapter. A candidate or candidate's committee shall not
2 23 knowingly accept transfers or contributions from ~~an individual~~
~~2 24 or political committee~~ any person for the purpose of
2 25 transferring funds to another candidate or candidate's
2 26 committee as prohibited by this subsection. A candidate or
2 27 candidate's committee shall not accept transfers or
2 28 contributions which have been transferred to another candidate
2 29 or candidate's committee as prohibited by this subsection.
2 30 The board shall notify candidates of the prohibition of such
2 31 transfers and contributions under this subsection.

2 32 Sec. 5. Section 68A.402, subsection 1, Code Supplement
2 33 2007, is amended to read as follows:

2 34 1. FILING METHODS. Each committee shall file with the
2 35 board reports disclosing information required under this
3 1 section on forms prescribed by rule. Reports shall be filed
3 2 on or before the required due dates by using any of the
3 3 following methods: mail bearing a United States postal
3 4 service postmark, hand-delivery, facsimile transmission,
3 5 electronic mail attachment, or electronic filing as prescribed
3 6 by rule. Any report that is required to be filed five days or
3 7 less prior to an election must be physically received by the
3 8 board to be considered timely filed. For purposes of this
3 9 section, "physically received" means the report is either
3 10 electronically filed using the board's electronic filing
3 11 system or is received by the board prior to 4:30 p.m. on the
3 12 report due date.

3 13 Sec. 6. Section 68A.402A, subsection 1, paragraph g, Code
3 14 2007, is amended to read as follows:

3 15 g. Disbursements made to a consultant, subvendor, or other
3 16 third party and disbursements made by the consultant,
3 17 subvendor, or other third party during the reporting period
3 18 disclosing the name and address of the recipient, amount,
3 19 purpose, and date. As used in this paragraph, "subvendor"
3 20 means a third party who makes an expenditure on behalf of a
3 21 candidate or a committee.

3 22 Sec. 7. Section 68A.404, subsection 2, paragraph a, Code
3 23 2007, is amended to read as follows:

3 24 a. The requirement to file an independent expenditure
3 25 statement under this section does not by itself mean that the
3 26 person filing the independent expenditure statement is
3 27 required to register and file reports under sections 68A.201,
3 28 ~~68A.201A,~~ and 68A.402.

3 29 Sec. 8. EFFECTIVE DATE. The section of this Act amending
3 30 section 68A.402, being deemed of immediate importance, takes
3 31 effect upon enactment.

3 32 EXPLANATION

3 33 This bill makes a number of technical changes to Iowa's
3 34 campaign disclosure law. The bill moves requirements dealing
3 35 with required filings by out-of-state and federal committees
4 1 into its own Code section.

4 2 The bill amends current restrictions concerning transfer of
4 3 contributions between candidates or candidate committees.
4 4 Under current law, an individual or a political committee
4 5 cannot knowingly make or accept transfers or contributions to
4 6 a candidate or candidate's committee for the purpose of
4 7 transferring the funds to another candidate or candidate's
4 8 committee to avoid the disclosure of the source of the funds.
4 9 The bill substitutes the term "person" in lieu of the phrase
4 10 "individual or a political committee".

4 11 The bill also revises a provision relating to the physical
4 12 receipt of reports that must be filed five days before the
4 13 election; that change establishes that physical receipt of the
4 14 report is required for any reports required to be filed less
4 15 than five days before the election. This provision is made
4 16 effective upon enactment.

4 17 The bill expands disbursement reporting requirements
4 18 relating to consultants to include a subvendor or other third
4 19 party.

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